



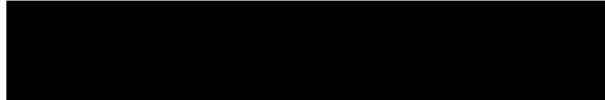
Eric Gonzalez
District Attorney

**DISTRICT ATTORNEY
KINGS COUNTY**

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Carmen Weaver
Assistant District Attorney

February 23, 2021



In connection with the above-named case, the People voluntarily provide the following information regarding:

MOS NAME: MARC FONTANA

MOS TAX: 951741

in satisfaction (to the extent applicable) of their constitutional, statutory, and ethical obligations. Further, the People reserve the right to move in limine to preclude reference to this information, or otherwise to object to its use and/or introduction into evidence.

Disclosure # 1:

MOS FONTANA ENTERED A PLEA OF GUILTY TO THE FOLLOWING DEPARTMENT CHARGES ARISING OUT OF AN INCIDENT ON OR ABOUT 12/27/2013, WHILE ASSIGNED TO THE 70TH PRECINCT AND ON DUTY:

1. MOS FONTANA, AT APPROXIMATELY 1545 HOURS AT A LOCATION KNOWN TO THE DEPARTMENT, ABUSED HIS AUTHORITY AS A MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT, IN THAT MOS FONTANA STOPPED AN INDIVIDUAL KNOWN TO THE DEPARTMENT WITHOUT SUFFICIENT LEGAL AUTHORITY.
2. MOS FONTANA, AT APPROXIMATELY 1545 HOURS AT SAID LOCATION ABUSED HIS AUTHORITY AS A MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT IN THAT MOS FONTANA SEARCHED SAID INDIVIDUAL WITHOUT SUFFICIENT LEGAL AUTHORITY.

ACTION TAKEN: MOS FONTANA FORFEITED FIVE (5) VACATION DAYS. THIS PENALTY WAS SHARED WITH THE PENALTY WITH DISCLOSURE # 2.

Disclosure # 2:

MOS FONTANA ENTERED A PLEA OF GUILTY AFTER DEPARTMENTAL TRIAL TO THE FOLLOWING DEPARTMENT CHARGES ARISING OUT OF AN INCIDENT ON OR ABOUT 11/17/2013, WHILE ASSIGNED TO THE 70TH PRECINCT AND ON DUTY:

1. MOS FONTANA, AT APPROXIMATELY 1930 HOURS, AT A LOCATION KNOWN TO THE DEPARTMENT, ENGAGED IN CONDUCT PREJUDICIAL TO THE GOOD ORDER, EFFICIENCY OR DISCIPLINE OF THE NEW YORK CITY POLICE DEPARTMENT, IN THAT SAID MOS SEARCHED A VEHICLE IN WHICH TWO INDIVIDUALS KNOWN TO THE DEPARTMENT WERE OCCUPANTS, WITHOUT SUFFICIENT LEGAL AUTHORITY.
2. MOS FONTANA, AT APPROXIMATELY 1930 HOURS, AT A LOCATION KNOWN TO THE DEPARTMENT, ABUSED HIS AUTHORITY AS A MEMBER OF THE NEW YORK CITY POLICE DEPARTMENT, IN THAT SAID MOS FRISKED AN INDIVIDUAL KNOWN TO THE DEPARTMENT WITHOUT SUFFICIENT LEGAL AUTHORITY.

CASE CLOSED ON 10/24/2016.

ACTION TAKEN: MOS FONTANA FORFEITED FIVE (5) VACATION DAYS. THIS PENALTY WAS SHARED WITH THE PENALTY WITH DISCLOSURE # 1.

Disclosure # 3:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATION, ARISING FROM 11/20/2018, AGAINST MOS FONTANA:

1. FAIL TO PREPARE REPORT - TRI REPORT

CASE CLOSED ON 02/14/2019

Disclosure # 4:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATIONS, ARISING FROM 12/18/2018, AGAINST MOS

FONTANA:

1. MISSING DEPARTMENT PARKING PERMIT - RESTRICTED USE
2. FAIL TO SAFEGUARD DEPARTMENT PARKING PERMIT - RESTRICTED USE

CASE CLOSED ON 02/14/2019

ACTION TAKEN: SCHEDULE A CD.

Disclosure # 5:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATIONS, ARISING FROM 12/27/2018, AGAINST MOS FONTANA:

1. FAIL TO NOTIFY IN A TIMELY MANNER - IAB

CASE CLOSED ON 03/28//2019

ACTION TAKEN: SCHEDULE B CD

Disclosure # 6:

THE NYPD SUBSTANTIATED THE FOLLOWING ALLEGATIONS AGAINST MOS FONTANA ARISING FROM 7/9/2020:

1. OTHER DEPARTMENT RULES/PROCEDURES VIOLATION - NOT WEARING FACE MASKS

CASE CLOSED ON 7/29/20

ACTION TAKEN: VERBAL INSTRUCTIONS

Disclosure # 7:

THE PEOPLE ARE AWARE OF THE FOLLOWING FEDERAL CIVIL RIGHTS ACTION(S) AND/OR STATE TORT CIVIL LAWSUIT(S) IN WHICH THE INDICATED OFFICER HAS BEEN NAMED AS AN INDIVIDUAL DEFENDANT. NOTE, THE DISPOSITION INFORMATION MAY NOT BE CURRENT:

PLAINTIFF	DOCKET	COURT	FILED	DISPOSED	DISPOSITION
Lenworth Locke, Jr.	16-CV-6825	E.D.N.Y.	12/11/2016	12/15/2017	Settlement, without admission of fault or liability

BASED UPON CCRB DOCUMENTS UP TO DATE THROUGH FEBRUARY 2ND, 2021, THE PEOPLE ARE AWARE OF THE FOLLOWING CCRB SUBSTANTIATED AND/OR PENDING ALLEGATIONS AGAINST THIS OFFICER:

Disclosure # 8:

CCRB CASE: 201311018

REPORT DATE: 11/22/2013

INCIDENT DATE: 11/17/2013

CCRB SUBSTANTIATED ALLEGATION(S):

1. ABUSE - FRISK
2. ABUSE - VEHICLE SEARCH

NYPD DISPOSITION: ADMINISTRATIVE PROSECUTION UNIT – GUILTY, PENALTY: FORFEITURE OF FIVE (5) VACATION DAYS

Disclosure # 9:

CCRB CASE: 201312036

REPORT DATE: 12/27/2013

INCIDENT DATE: 12/27/2013

CCRB SUBSTANTIATED ALLEGATION(S):

1. ABUSE - SEARCH (OF PERSON)
2. ABUSE - STOP

NYPD DISPOSITION: ADMINISTRATIVE PROSECUTION UNIT – GUILTY, PENALTY: FORFEITURE OF FIVE (5) VACATION DAYS

Disclosure # 10:

CCRB CASE: 201809797

REPORT DATE: 11/26/2018

INCIDENT DATE: 11/13/2018

CCRB SUBSTANTIATED ALLEGATION(S):

1. ABUSE - REFUSAL TO PROVIDE SHIELD NUMBER

NYPD DISPOSITION: SUBSTANTIATED, PENALTY: COMMAND DISCIPLINE A

Eric Gonzalez
District Attorney
Kings County